

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants: Grumann, et al. Patent Application  
Application No.: 09/882,845 Group Art Unit: 2194  
Filed: June 15, 2001 Examiner: Truong, Lechi

For: APPARATUS AND METHOD FOR ENHANCING PERFORMANCE OF A COMPUTER SYSTEM

SUPPLEMENTAL APPEAL BRIEF

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

## Table of Contents

	<u>Page</u>
Real Party in Interest	1
Related Appeals and Interferences	2
Status of Claims	3
Status of Amendments	4
Summary of Claimed Subject Matter	5
Grounds of Rejection to Be Reviewed on Appeal	8
Argument	9
Conclusion	20
Appendix – Clean Copy of Claims on Appeal	21
Appendix – Evidence Appendix	25
Appendix – Related Proceedings Appendix	26

I. Real Party in Interest

The assignee of the present application is Hewlett-Packard Development Company,

L.P.

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

II. Related Appeals and Interferences

There are no related appeals or interferences known to the Appellants.

### III. Status of Claims

Claims 1-26 are pending. Claims 1-26 are rejected. This Appeal involves Claims 1-26.

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

IV. Status of Amendments

All proposed amendments have been entered. An amendment subsequent to the Final Action has not been filed.

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

## V. Summary of Claimed Subject Matter

Independent Claims 1, 12, 14 and 24 pertain to various embodiments for enhancing performance of a computer system. For example, independent Claim 1 recites “A computer-implemented method (601) for enhancing performance of a computer system (100),” which is described at least at page 5 line 28 to page 6 line 2, Figures 1, 5 and 6. “Electronically deriving (630) relationships (400, 401, 450, 451, 420, 421, 470, 471) over time (T1-T7 Table 3 on page 2) between monitored system variables (110, table 1 on page 10) and monitored performance (120-123) of said computer system (100)” is described at least at page 5 line 28 to page 6 line 2, page 6 lines 4-7, page 7 lines 7-8, page 6 lines 11-13, page 7 lines 32-33, page 8 line 25 to page 9 line 13, page 11 lines 24-26, Table 3 on page 12, page 9 line 32 to page 10 line 1, page 13 lines 12-23, Figures 1, 4, 5, and 6. “Automatically generating (640) a number of rules (500-502) based on said derived relationships (400, 401, 450, 451, 420, 421, 470, 471), wherein said number of rules (500-502) are generated without requiring human interaction,” is described at least at page 14 line 17 to page 15 line 8, Table 1 on page 10, Table 2 on page 11, Table 3 on page 12, Figures 4, 5 and 6. “Adjusting (645) at least one of said system variables (110, table 1 on page 10) based on said generated number of rules (500-502) to enhance the performance (120-123) of said computer system (100),” is described at least at page 16 lines 8-10, Figures 1, 5, and 6.

Independent Claim 12 recites, “A computer-implemented method (601) for enhancing performance of a computer system (100),” which is described at least at page 5 line 28 to page 6 line 2, Figures 1, 5 and 6. “Electronically deriving (630) relationships (400, 401, 450, 451, 420, 421, 470, 471) over time (T1-T7 Table 3 on page 2) between monitored system variables (110, table 1 on page 10) and monitored performance (120-123) of said computer system (100)” is described at least at page 5 line 28 to page 6 line 2, page 6 lines 4-7, page 7

lines 7-8, page 6 lines 11-13, page 7 lines 32-33, page 8 line 25 to page 9 line 13, page 11 lines 24-26, Table 3 on page 12, page 9 line 32 to page 10 line 1, page 13 lines 12-23, Figures 1, 4, 5, and 6. “Automatically generating (640) a number of rules (500-502) based on said derived relationships (400, 401, 450, 451, 420, 421, 470, 471), wherein said number of rules (500-502) are generated without requiring human interaction,” is described at least at page 14 line 17 to page 15 line 8, Table 1 on page 10, Table 2 on page 11, Table 3 on page 12, Figures 4, 5 and 6. “Adjusting (645) at least one of said system variables (110, table 1 on page 10) based on said generated number of rules (500-502) to enhance the performance (120-123) of said computer system (100),” is described at least at page 16 lines 8-10, Figures 1, 5, and 6.

Independent Claim 14 recites, “An apparatus for enhancing performance of a computer system (100),” which is described at least at page 5 line 28 to page 6 line 2, Figures 1, 5 and 6. “Program code for deriving (630) relationships (400, 401, 450, 451, 420, 421, 470, 471) over time (T1-T7 Table 3 on page 2) between monitored system variables (110, table 1 on page 10) and monitored performance (120-123) of said computer system (100),” is described at least at page 5 line 28 to page 6 line 2, page 6 lines 4-7, page 7 lines 7-8, page 6 lines 11-13, page 7 lines 32-33, page 8 line 25 to page 9 line 13, page 11 lines 24-26, Table 3 on page 12, page 9 line 32 to page 10 line 1, page 13 lines 12-23, Figures 1, 4, 5, and 6. “Program code for automatically generating (640) a number of rules (500-502) based on said derived relationships (400, 401, 450, 451, 420, 421, 470, 471), wherein said number of rules (500-502) are generated without requiring human interaction,” is described at least at page 14 line 17 to page 15 line 8, Table 1 on page 10, Table 2 on page 11, Table 3 on page 12, Figures 4, 5 and 6. “Program code for adjusting (645) at least one of said system variables (110, table 1 on page 10) based on said generated number of rules (500-502) to enhance the

performance (120-123) of said computer system (100)" is described at least at page 16 lines 8-10, Figures 1, 5, and 6.

Independent Claim 24 recites, "An apparatus for enhancing performance of a computer system," which is described at least at page 5 line 28 to page 6 line 2, Figures 1, 5 and 6. "Means for electronically deriving (630) relationships (400, 401, 450, 451, 420, 421, 470, 471) over time (T1-T7 Table 3 on page 2) between monitored system variables (110, table 1 on page 10) and monitored performance (120-123) of said computer system (100)" is described at least at page 5 line 28 to page 6 line 2, page 6 lines 4-7, page 7 lines 7-8, page 6 lines 11-13, page 7 lines 32-33, page 8 line 25 to page 9 line 13, page 11 lines 24-26, Table 3 on page 12, page 9 line 32 to page 10 line 1, page 13 lines 12-23, Figures 1, 4, 5, and 6. "Means for automatically generating (640) a number of rules (500-502) based on said derived relationships (400, 401, 450, 451, 420, 421, 470, 471), wherein said number of rules (500-502) are generated without requiring human interaction," is described at least at page 14 line 17 to page 15 line 8, Table 1 on page 10, Table 2 on page 11, Table 3 on page 12, Figures 4, 5 and 6. "Means for adjusting (645) at least one of said system variables (110, table 1 on page 10) based on said generated number of rules (500-502) to enhance the performance (120-123) of said computer system (100)" is described at least at page 16 lines 8-10, Figures 1, 5, and 6.

VI. Grounds of Rejection to Be Reviewed on Appeal

1. Claims 1-13 are rejected under 35 U.S.C. §101.
2. Claims 24-26 are rejected under 35 U.S.C. §101.
3. Claims 1-3, 5-15, and 17-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,059,842 by Dumarot et al. (referred to herein as “Dumarot”) in view of U.S. Patent No. 6,432,985 by Clare et al. (referred to herein as “Clare”) and further in view of U.S. Patent No. 5,446,653 by Miller et al. (referred to herein as “Miller”).
4. Claims 4 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dumarot in view of Clare in view of Japanese Patent No. 403010379 by Mihata et al. (referred to herein as “Mihata”) and further in view of Miller.

## VII. Argument

### 1. Whether Claims 1-13 are directed to Statutory Subject Matter Under 35 U.S.C. §101.

The Office Action asserts that Claims 1-13 recite “purely mental steps” and therefore are not directed to statutory subject matter under 35 U.S.C. 101. Appellants respectfully disagree. Independent Claims 1 and 12 recite “electronically deriving relationships...automatically generating a number of rules...without requiring human interaction...,” which cannot be performed using purely mental steps. Therefore, Appellants respectfully submit that independent Claims 1 and 12 recite statutory subject matter. Claims 2-11 depend on independent Claim 1. Claim 13 depends on independent Claim 12. These dependent claims include all of the features of their respective independent claims. Therefore, these dependent claims include statutory subject matter for at least the reasons that their respective independent claims include statutory subject matter.

2. Whether Claims 24-26 are directed to Statutory Subject Matter Under 35 U.S.C. §101.

The Office Action asserts that “deriving, generating and adjusting are performed by software modules. Therefore, claim 24 is non-statutory because it recites a claim that comprises software per se embodiments.” Appellants respectfully submit that independent Claim 24 recites “means for electronically deriving …means for automatically generating…and means for adjusting…” Appellants respectfully submit that the instant application serial no. 09/882,845 recites structure such as “devices” and “hardware component.” Therefore, Appellants respectfully submit that independent Claim 24 is directed toward statutory subject matter. Claims 25 and 26 depend on independent Claim 24. These dependent claims include all of the features of their respective independent claims. Therefore, these dependent claims include statutory subject matter for at least the reasons that their respective independent claims include statutory subject matter.

3. Whether Claims 1-3, 5-15, and 17-26 are Unpatentable Under 35 U.S.C. §103(a) over Dumarot in view of Clare and further in view of Miller.

Appellants have reviewed the cited art and respectfully submit that the embodiments of the present invention as recited in Claims 1-3, 5-15 and 17-26 are neither taught nor suggested by Dumarot, Clare, or Miller, alone or in combination.

Independent Claim 1 recites,

A computer-implemented method for enhancing performance of a computer system, comprising:

electronically deriving relationships over time between monitored system variables and monitored performance of said computer system;

automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and

adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system.

“As reiterated by the Supreme Court in *KSR*, the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). Obviousness is a question of law based on underlying factual inquiries” including “[a]scertaining the differences between the claimed invention and the prior art” (MPEP 2141(II)). “In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious” (emphasis in original; MPEP 2141.02(I)). Appellants note that “[t]he prior art reference (or references when combined) need not teach or suggest all the claim limitations, however, Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art” (emphasis added; MPEP 2141(III)).

Appellants respectfully submit that “[i]t is improper to combine references where the references teach away from their combination” (emphasis added; MPEP 2145(X)(D)(2); *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983)). Applicants respectfully note that “[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention” (emphasis in original; MPEP 2141.02(VI); *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984)). Applicants respectfully submit that there is no motivation to combine the teachings of Dumarot, Clare, and Miller, because Miller teaches away from the suggested modification.

“[A] reference will teach away if it suggests that the line of development flowing from the reference’s disclosures is unlikely to be productive of the result sought by the applicant. *In re Gurley*, 31 USPQ2d 1130 (Fed. Cir. 1994).”

## DUMAROT

This section describes Appellants’ understanding of what Dumarot teaches. Appellants understand Dumarot to teach that a user specifies levels of optimization. A user specified level of optimization controls which application settings are used to optimize an application. For example, the user can cause a system to maximize performance and sacrifice graphic quality by entering a value of “True” for the suppressAutoRefresh parameter, which indicates redrawing of graphics should be suppressed. Appellants further understand Dumarot to teach that a user specifies rules. A user specified rule is used to optimize and/or to make recommendations to the user for optimization.

Thus, Appellants do not understand Dumarot to teach “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system,” (emphasis added) as recited by Claim 1.

#### CLARE

This section describes Appellants’ understanding of what Clare teaches. Appellants understand Clare to teach various relationships, such as a known relationship between temperature and torque factor, and equations that can be used for calculating a value for  $K_t$  event (torque factor at a future time/event) instead of calculating a value for the conventional  $K_{t\text{ recall}}$  (torque factor performed at start-up). Since Clare’s relationship is “known,” Clare’s relationship is not derived let alone electronically derived. Appellants also understand Clare to teach using the  $K_t$  event value instead of using the conventional  $K_{t\text{ recall}}$  value in a seek algorithm.

Thus, Appellants do not understand Clare to teach “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system,” (emphasis added) as recited by Claim 1.

The Office Action states in the second paragraph of page 3, “However, Clare teaches deriving relationships over time . . .” At the end of the first paragraph on page 5, the Office Action states, “Clare does not teach determine relationship with human interaction, this relationship is automatically generated without requiring the human interaction.” First, to clarify the record, the Office Action has misquoted the embodiment recited by Claim 1. Second, the Office Action appears to be confusing relationships with rules as recited by Claim 1. Appellants respectfully point out that Claim 1 recites, “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction” (emphasis added). Note that the rules are generated based on the relationships and it is the rules that are generated without requiring human interaction.

Therefore, Appellants do not understand Clare to remedy the deficiencies in Dumarot in that Appellants do not understand either Dumarot or Clare, alone or in combination, to teach or suggest, “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system,” (emphasis added) as recited by Claim 1.

MILLER

This section describes Appellants' understanding of what Miller teaches. Referring to Miller's abstract, Appellants understand Miller to teach automatically generating documents by assembling clauses selected from a library of clauses. Rule sets, which are assigned to each of the clauses, are tested against document parameters to determine whether to associate a clause with a document. The abstract states lines 11-13, "The document generation system is particular suitable for the creation of insurance policy documents." Miller describes in the background at Col. 1 lines 51-59 that conventional methods using preprinted forms result in insurance policies that are modified with attached "endorsements" and "substitutes for specific policy provisions." At col. 1 line 60 to Col. 2 line 2, Miller discusses the additional complication that results from various state laws that require different language for the same coverage. At Col. 5 lines 43-46, Miller states "A policy built by the system is printed as a complete, final document that does not require separate endorsement pages to be added to delete, replace or supplement core policy provisions." Miller states at Col. 4 line 32, "The rule sets are input to the computer system." Table 2 provides an example of a rule set. Miller states at Col. 8 lines 48-53 with regards to Table 2, "For example, endorsement rule set 0010 designates three endorsement clauses CLS2164, CLS2114, and CLS2115 that are to replace respective insurance policy clauses CLS0105, CLS9055, and CLS9069 when the Colorado State Amendatory endorsement is selected."

Therefore, Appellants understand Miller to teach creating a policy document that does not require separate endorsement pages to be added by assigning rule sets to clauses and testing the rule sets against the document's parameters to determine whether to associate a clause with the policy document. Although Miller does not explicitly state that a human is required to generate Miller's rules, since the rule sets are used to determine which clauses

pertain to different states' laws, Appellants understand Miller to implicitly teach that Miller requires a human to generate Miller's rules.

The Office Action states in the third paragraph on page 5, that Miller teaches "automatically generating a rules..." First, Appellants respectfully submit that this is a misquotation of independent Claim 1. Independent Claim 1 recites "automatically generating a number of rules..." not "automatically generating a rules..." Second, since Miller's rules are inputted (Col. 4 line 32) to the computer system, Appellants do not understand Miller to teach, suggest, or render obvious "automatically generating a number of rules..." Third, since Appellants understand Miller to require a human to generate Miller's rules, Appellants understand Miller to teach away from "automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction."

Therefore, Appellants do not understand Miller to remedy the deficiencies in Dumarot and Clare in that Appellants do not understand either Dumarot, Clare or Miller, alone or in combination, to teach, suggest, or render obvious, "electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system," (emphasis added) as recited by Claim 1.

## SUMMARY

Therefore, Appellants respectfully submit that independent Claim 1 is patentable for at least the reasons that Appellants do not understand Dumarot, Clare, or Miller to teach, suggest, or render obvious “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system; automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system,” (emphasis added) and at least for the reasons that Appellants understand Miller to teach away from “automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction.”

For similar reasons, independent Claims 12, 14, and 24 should be patentable. Claims 2, 3 and 5-11 depend from independent Claim 1, Claim 13 depends from independent Claim 12, Claims 15 and 17-23 depend from independent Claim 14, and Claims 25 and 26 depend from independent Claim 24. The dependent claims include all of the features of their respective independent claims. Further the dependent claims include additional features which further make them patentable. Therefore, the dependent claims should be patentable for at least the reasons that the respective independent claims should be patentable.

4. Whether Claims 4 and 16 are Anticipated Under 35 U.S.C. §103(a) over Dumarot in view of Clare in view of Mihata and further in view of Miller.

Appellants have reviewed the cited art and respectfully submit that the embodiments of the present invention as recited in Claims 4 and 16 are patentable over Dumarot, Clare, Mihata, and Miller, alone or in combination.

As described above in the discussion of the rejection of Claims 1-3, 5-15 and 17-26, Appellants do not understand the combination of Dumarot in view of Clare and further in view of Miller to teach, disclose or suggest the claimed embodiments of the present invention as recited by independent Claims 1 and 14. Moreover, Appellants submit that Mihata does not overcome the deficiencies in Dumarot, Clare, and Miller. Appellants understand Mihata to teach a design rules verifying system. Appellants do not understand Mihata, alone or in combination with Dumarot, Clare, and Miller, to teach or suggest a method for enhancing performance of a computer system, including “electronically deriving relationships over time between monitored system variables and monitored performance of said computer system,” or “automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction,” as recited by Claim 1. Therefore, independent Claim 1 should be patentable over the combination of Dumarot, Clare, and Miller. For similar reasons Claim 14 should be patentable over the combination of Dumarot, Clare, and Miller. Claim 4 depends on independent Claim 1. Claim 16 depends on independent Claim 14. Appellants respectfully submit that Claims 4 and 16 overcome the rejection under 35 U.S.C. § 103(a) as these claims are dependent on allowable base claims.

Appellants respectfully point out that the rejections based only on Mihata are based only on the Abstract of Mihata, which is the only portion of Mihata that is translated into English. Appellants respectfully point out that paragraph 3 of the Office Action appears to state that Claims 4 and 16 are rejected “...and in view of Mihata...” Therefore, it appears to Appellants, that the Office Action is rejection Claims 4 and 16 on the basis of the entire Mihata cited art while only providing a translation of Mihata’s abstract. For the eighth time during the prosecution of the current patent application, Appellants have respectfully requested an English translation of the cited non-English cited art by Mihata, Japanese Patent 403010379. In the event that Mihata is again cited by the Examiner in rejecting the claims, in order to fully appreciate the scientific teachings of Mihata, Appellants request that the Examiner provide a complete translation of Mihata in order to fully understand its teachings.

Conclusion

Appellants believe that Claims 1-13 are directed to statutory subject matter.

Appellants believe that Claims 24-26 are directed to statutory subject matter. Appellants believe that pending Claims 1-3, 5-15 and 17-26 are patentable over Dumarot in view of Clare and further in view of Miller. Appellants believe that pending Claims 4 and 16 are patentable over Dumarot in view of Clare in view of Mihata and further in view of Miller. As such, Appellants submit that Claims 1-26 are patentable over the cited art.

Appellants respectfully request that the rejection of Claims 1-26 be reversed. The Appellants wish to encourage the Examiner or a member of the Board of Patent Appeals to telephone the Appellants' undersigned representative if it is felt that a telephone conference could expedite prosecution.

Respectfully submitted,  
Wagner Blecher LLP

Dated: 03/23/2009

/John P. Wagner, Jr./

John P. Wagner, Jr.  
Registration No.: 35,398

Wagner Blecher LLP  
Westridge Business Park  
123 Westridge Drive  
Watsonville, CA 95076

Phone: (408) 377-0500  
Facsimile: (831) 722-2350

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

### VIII. Appendix - Clean Copy of Claims on Appeal

1. A computer-implemented method for enhancing performance of a computer system, comprising:

electronically deriving relationships over time between monitored system variables and monitored performance of said computer system;

automatically generating a number of rules based on said derived relationships, wherein said number of rules are generated without requiring human interaction; and

adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system.

2. A computer-implemented method as in claim 1, wherein said generating said number of rules is based at least in part on a performance goal.

3. A computer-implemented method as in claim 1, wherein said generating said number of rules is based at least in part on current values of said system variables, and wherein said number of rules recommend incremental changes to said system variables.

4. A computer-implemented method as in claim 1, wherein said deriving said relationships, said generating said number of rules, and said adjusting said at least one system variable, are iterative.

5. A computer-implemented method as in claim 1, further comprising acquiring data for said system variables and the performance of said computer system, wherein said acquired data is used for deriving said relationships.

6. A computer-implemented method as in claim 5, wherein acquiring said data comprises:

gathering said data over time; and

logging said gathered data, wherein said relationships are derived based on said logged data.

7. A computer-implemented method as in claim 6, wherein said gathering said data is at discrete points in time.

8. A computer-implemented method as in claim 6, wherein said gathering said data is in response to an event on said computer system.

9. A computer-implemented method as in claim 5, wherein said acquiring said data comprises acquiring at least one of the following types of data: configuration data, workload data, and performance metric data.

10. A computer-implemented method as in claim 1, further comprising identifying a number of applications on said computer system having variables that affect the performance of said computer system.

11. A computer-implemented method as in claim 1, further comprising identifying a number of subsystem components on said computer system having variables that affect the performance of said computer system.

12. A computer-implemented method for enhancing performance of a computer system, comprising:

electronically deriving a plurality of relationships over time between a plurality of monitored system variables and monitored performance of said computer system;

automatically generating a plurality of rules based on said plurality of derived relationships, wherein said plurality of rules are generated without requiring human interaction; and

adjusting at least one of said system variables based on said generated plurality of rules to enhance the performance of said computer system.

13. A computer-implemented method as in claim 12, wherein the performance of said computer system is based on a plurality of performance metrics.

14. An apparatus for enhancing performance of a computer system, comprising:

computer readable storage media;  
computer readable program code stored on said computer readable storage media,  
comprising:  
program code for deriving relationships between system variables and the  
performance of said computer system;  
program code for automatically generating a number of rules based on said  
derived relationships, wherein said number of rules are generated without requiring  
human interaction; and  
program code for adjusting at least one of said system variables based on said  
generated number of rules to enhance the performance of said computer system.

15. An apparatus as in claim 14, wherein said number of rules are generated by said  
program code based at least in part on a performance goal.

16. An apparatus as in claim 14, further comprising program code for iteratively  
deriving relationships between said system variables and the performance of said computer  
system, and iteratively generating a number of rules based on said derived relationships when  
an adjustment is made to said at least one system variable.

17. An apparatus as in claim 14, further comprising program code for acquiring data  
for said system variables and the performance of said computer system.

18. An apparatus as in claim 17, wherein at least some of said data is acquired from a  
configuration file.

19. An apparatus as in claim 17, wherein at least some of said data is acquired by  
monitoring said computer system.

20. An apparatus as in claim 17, wherein said program code for acquiring said data  
comprises:

program code for gathering said data over time;

program code for logging said gathered data, wherein said program code for deriving  
derives said relationships based on said logged data.

21. An apparatus as in claim 17, wherein said program code for acquiring said data acquires at least one of the following types of data: configuration data, workload data, and performance metric data.

22. An apparatus as in claim 14, further comprising program code for identifying a number of applications on said computer system having variables that affect the performance of said computer system.

23. An apparatus as in claim 14, further comprising program code for identifying a number of subsystem components of said computer system having variables that affect the performance of said computer system.

24. An apparatus for enhancing performance of a computer system, comprising:  
means for electronically deriving relationships over time between monitored system variables and monitored performance of said computer system;  
means for automatically generating a number of rules based on said derived relationships, wherein said generated number of rules are generated without requiring human interaction; and  
means for adjusting at least one of said system variables based on said generated number of rules to enhance the performance of said computer system.

25. An apparatus as in claim 24, further comprising means for acquiring data for said system variables and the performance of said system.

26. An apparatus as in claim 25, wherein said acquiring means comprises:  
means for gathering said data over time; and  
means for logging said data, wherein said relationships are derived based on said logged data.

IX. Evidence Appendix

No evidence is herein appended.

10002695-1  
Serial No.: 09/882,845

Group Art Unit: 2194

X. Related Proceedings Appendix

No related proceedings.